

April 8, 2009

TO: Teresa Parsons
Director's Review Program Supervisor

FROM: Kristie Wilson
Director's Review Investigator

RE: **Darsha O'Shaughnessy v. Central Washington University (CWU)
Allocation Review Request No. ALLO-08-072**

On March 20, 2009 a Director's Review meeting took place by telephone conference call concerning the allocation of Darsha O'Shaughnessy's position. Present during the telephone conference call were Darsha O'Shaughnessy, CWU; Cathy Bonjorni, CWU Food Service Supervisor 2; Stephen Sarchet, CWU Human Resource Office; and myself.

Investigator Finding

As the Director's review investigator, I carefully reviewed and considered all of the documentation in the file, the class specifications, and the information provided during the Director's review conference. Based on my review and analysis of Ms. O'Shaughnessy's assigned duties and responsibilities, I find that the classification that best fits Ms. O'Shaughnessy's overall duties and responsibilities is the Food Service Worker Lead.

Background

On July 22, 2008, Ms. O'Shaughnessy submitted a Position Review Request (PRR) to CWU HR Office requesting that her position be allocated to a Cook 1. Mr. Sarchet reviewed her request, visited her worksite, and spoke with her supervisor, Cathy Bonjorni. Mr. Sarchet issued his decision by letter dated September 4, 2008 to Dan Laymon, Director of Dining Services (Exhibit A-3). In his letter Mr. Sarchet outlined the reasons and basis for his denial. On October 2, 2008, Ms. O'Shaughnessy filed a request for a Director's review.

Summary of Ms. O'Shaughnessy's and Ms. Bonjorni's (Supervisor) Comments

Ms. O'Shaughnessy explained that she works in the Vegetable Preparation Department and her daily duties include washing, chopping, and preparing the vegetables for the day and

setting up the various vegetable stations. In addition, Ms. O'Shaughnessy is responsible for checking in the freight and putting away the items from the freight. She also performs monthly inventory, determining costs for the vegetables, and then entering this information into the computer to be sent to the warehouse.

Ms. O'Shaughnessy explained that she arrives first in the morning so she begins pulling the orders for the day until the supervisor arrives. Once the supervisor arrives, the ordering is completed by the supervisor. On normal days, the supervisor runs the machinery. Machinery is run by Ms. O'Shaughnessy when the supervisor is absent.

Ms. O'Shaughnessy asserts that two days out of her workweek she works without her supervisor. During these two days, Ms. O'Shaughnessy completes a portion of her supervisor's work which includes ordering the vegetables from the warehouse (usually takes about one hour), runs the machinery used for chopping and preparing the vegetables, and leads the students ensuring the vegetables are prepared and organized. Ms. O'Shaughnessy feels she completes almost 50% of the ordering for all of the weekly produce needs and is responsible for inventory counts. She states that these duties are not on her position duty list and is a duty of her supervisor.

Ms. Bonjorni asserts that the Vegetable Preparation Department previously staffed five employees but now staffs two, Ms. O'Shaughnessy and herself. She stated that if Ms. O'Shaughnessy was not there she did not know what she would do because Ms. O'Shaughnessy is the only one besides her that can operate the machinery. Ms. Bonjorni feels that Ms. O'Shaughnessy well deserves this reallocation. Ms. Bonjorni also stated that she is the one that supervises the student employees and that Ms. O'Shaughnessy is the lead.

CWU's Rationale

CWU states that Ms. O'Shaughnessy's position description, signed November 30, 2001 (Exhibit B-4), is accurate. Mr. Sarchet, HR Representative, met with Ms. O'Shaughnessy's supervisor and was told that Ms. O'Shaughnessy's duties include the daily preparation of vegetables, storing and rotating leftovers in her assigned areas to minimize waste, and leading students in the preparation and serving of food items. Ms. O'Shaughnessy's supervisor also pointed out that Food Service Worker Leads are not required to place orders and assist with inventory as Ms. O'Shaughnessy does, however, the limited amount of time spent on these tasks cannot be a preponderance of Ms. O'Shaughnessy's duties. Mr. Sarchet also noted that Ms. O'Shaughnessy's ability to make alterations to planned menu items is limited to determining the type of salad(s) that will be prepared for the planned entrée and the type of dessert item (puddings, parfaits, and/or Jell-O) will be prepared. Mr. Sarchet stated that although Ms. O'Shaughnessy has the ability to work with the kitchen staff to determine the appropriate vegetable substitutions when needed, Ms. O'Shaughnessy does not have the authority to change the menu itself.

After meeting with both Ms. O'Shaughnessy and Ms. Bonjorni and carefully reviewing all of the written and verbal information received, it was determined that the best fit for Ms. O'Shaughnessy's position is a Food Service Worker Lead.

Reason and Basis for Finding

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. See Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

Most positions within the civil service system occasionally perform duties that appear in more than one classification. However, when determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. See Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

The definition for Cook 1 class states:

Prepares and cooks food in an institution, institutional camp or Washington State Patrol training facility.

While Ms. O'Shaughnessy participates in food preparation, her duties reside within the Vegetable Preparation Department. I have reviewed the written documentation and the position description form for Ms. O'Shaughnessy and conclude that Ms. O'Shaughnessy's duties do not rise to the level of a Cook 1 classification.

The definition for Food Service Worker Lead states:

Leads Food Service Workers and participates in the preparation and serving of food; or functions as a cook's or baker's helper.

When there is a definition that specifically includes a particular assignment and there is a general classification that has a definition which could also apply to the position, the position will be allocated to the class with the definition that includes the position Mikitik v Depts. of Wildlife and Personnel, PAB No. A88-021 (1989).

The focus of Ms. O'Shaughnessy's position involves food preparation within the Vegetable Preparation Department. Ms. O'Shaughnessy works under the supervision of a Food Service Supervisor 2. Although Ms. O'Shaughnessy periodically covers for her supervisor in her absence, I believe the scope of her assignments fall within the Food Service Worker Lead classification. Ms. O'Shaughnessy's position is intended to cover a broad range of food preparation.

As previously noted by the Personnel Resources Board (PRB), the guidance provided in the Department of Personnel's Classification and Pay Administrative Guide establishes that the following standards are primary considerations in allocating positions:

- a) Category concept (if one exists).
- b) Definition or basic function of the class.
- c) Distinguishing characteristics of a class.
- d) Class series concept, definition/basic function, and distinguishing characteristics of other classes in the series in question.

After reviewing the documentation and comments from all parties with regard to Ms. O'Shaughnessy's assigned duties and responsibilities, I conclude the Food Service Worker Lead classification best describes Ms. O'Shaughnessy's position.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to the Washington personnel resources board. Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

cc: Darsha O'Shaughnessy, CWU
Cathy Bonjorni, CWU Food Service Supervisor 2
Stephen Sarchet, CWU Human Resource Office
Lisa Skriletz, DOP Classification and Pay Manager

Enclosure: Exhibit List

Exhibit List

A. Filed by employee October 2, 2008:

1. Director's Review Request form.
2. Letter of request from Darsha O'Shaughnessy
3. CWU allocation determination September 4, 2008.
4. Org chart

B. Filed by CWU (Stephen Sarchet) December 5, 2008:

1. Position Review Request (July 22, 2008)
2. Supervisor/Department Head Review (August 18, 2008)
3. Results of Classification Review (Sept 4, 2008)
4. Position Description (Dec 13, 2001)
5. Organizational Chart (August 18, 2008)
6. Classification Specs Cook 1
7. Classification Specs Food Service Worker Lead

C. Filed by Darsha O'Shaughnessy December 5, 2008:

1. Letter to Ms. Wilcox (Nov 23, 2008)
2. Position Review Request (July 22, 2008)
3. Memo to Cathy Bonjorni (July 24, 2008)
4. Memo to Darsha O'Shaughnessy (July 24, 2008)
5. Results of Classification review (Sept 4, 2008)
6. Request for Director's Review (signed Sept 21, 2008)
7. Letter from Dept. of Personnel (Oct 9, 2008)
8. Updated Organizational Chart (Nov 21, 2008)